

 ORIGINAL

UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE  
(WILMINGTON)

FILED  
CLERK, U.S. DISTRICT COURT  
DISTRICT OF DELAWARE  
2007 NOV -2 PM 12:15

NEW CENTURY MORTGAGE CORP., a  
California corporation,

Plaintiff,

v.

GREAT NORTHERN INSURANCE  
COMPANY, a Minnesota corporation,  
FEDERAL INSURANCE COMPANY, an  
Indiana corporation,

Defendants.

No. 07-cv-640

Assigned to: Vacant Judgeship  
Referred to: Hon. Mary Pat Thyng

**MOTION OF DAVID A. GAUNTLETT AND GAUNTLETT & ASSOCIATES TO  
WITHDRAW AS COUNSEL FOR NEW CENTURY MORTGAGE CORPORATION**

David A. Gauntlett and Gauntlett & Associates (collectively “Gauntlett & Associates”), co-counsel for New Century Mortgage Corporation (“New Century”), pursuant to LR 83.5, move to withdraw from representation of New Century.

LR 83.5 requires Gauntlett & Associates obtain local counsel prior to November 17, 2007. For the following reasons, Gauntlett & Associates respectfully requests that it be allowed to withdraw as attorney of record:

1. New Century has filed for bankruptcy and will obtain representation through its bankruptcy counsel in this matter prospectively.

2. There are no further matters pending in the civil case.
5. Eric R. Little is no longer employed by Gauntlett & Associates. Mr. Little may be contacted at: McKasson, Klein, Holmes, 600 Anton Blvd., Suite 650, Costa Mesa, California 92626, telephone (714) 436-1470.
6. The last known address for New Century is:  
  
Monika McCarthy  
General Counsel  
New Century Mortgage Corporation  
18400 Von Karman, Suite 1000  
Irvine, CA 92612  
Telephone: (800) 967-7623
7. The U.S. Trustee for New Century is:  
  
United States Trustee  
Lockbox #35  
844 King Street, Room 2207  
Wilmington, DE 19899-0035  
Phone: (302) 573-6491
8. New Century's co-counsel in the Illinois matter is: Bart T. Murphy, Wildman, Harold, Allen & Dixon LLP, 2300 Cabot Dr., Suite 455, Lisle, Illinois 60532, telephone (630) 955-6392.

Dated: October 31, 2007

**GAUNTLETT & ASSOCIATES**

By: 

David A. Gauntlett

**GAUNTLETT & ASSOCIATES**  
18400 Von Karman, Suite 300  
Irvine, CA 92612  
Tel: (949) 553-1010  
Fax: (949) 553-2050

RE: *New Century Mortgage Corp. v. Federal Ins. Co., et al.*  
VENUE: U.S.D.C. Northern District of Illinois  
CASE NUMBER: 05-cv-02370

**PROOF OF SERVICE**

I am employed in the County of Orange, State of California. I am over the age of eighteen (18) years and not a party to the within action; my business address is: Gauntlett & Associates, 18400 Von Karman Avenue, Suite 300, Irvine, CA 92612.

On October 31, 2007, I served the foregoing document described as **MOTION OF DAVID A. GAUNTLETT AND GAUNTLETT & ASSOCIATES TO WITHDRAW AS COUNSEL FOR NEW CENTURY MORTGAGE CORPORATION** on the interested parties in this action by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

**SEE ATTACHED SERVICE LIST**

- ☐ **(BY MAIL)** I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Irvine, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.
- ☐ **(BY FACSIMILE)** I caused the document(s) to be delivered by facsimile transmission to the above fax number(s) with the transmission reported as complete and without error.
- ☒ **(BY UPS SECOND DAY AIR)** I caused such package to be deposited with the UPS Drop Box or UPS Air Service Center located at one of the following locations: 18400 Von Karman, Irvine, California 92612 or 2222 Michelson Drive, #222, Irvine, California 92612.
- ☒ **(FEDERAL)** I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on October 31, 2007, at Irvine, California.

Richard Mendizábal  
(Print Name)

  
(Signature)

**SERVICE LIST**

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Kathy Karaboyas Malamis, Esq.  
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*Attorneys for Great Northern Ins. Co. and  
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*Former counsel for New Century through  
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*U.S. Trustee for New Century Mortgage  
Corporation*